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UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 35-196

OSTERHOFF et al.

C# M#

Serial No. 09/731,657

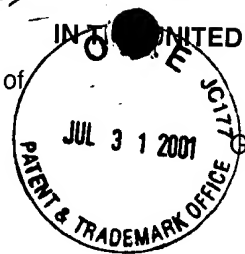
Group Art Unit: 1646

Filed: March 12, 2001

Examiner: Unassigned

Date: July 31, 2001

Title: EPIDIDYMIS-SPECIFIC RECEPTOR PROTEIN



Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

Fees are attached as calculated below:

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$ 80.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$270.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s) (\$110.00/1 month; \$390.00/2 months; \$890.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$710.00) \$ 0.00
☐ Please enter the previously unentered, filed
☐ Submission attached

Subtotal \$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract
☐ Applicant claims "small entity" status. ☐ Statement filed herewith -\$ 0.00

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: Second Request for Correction of Filing Receipt; Copy of Cover Letter for Correction of Previous
Notice mailed 7/12/2001; Copy of Filing Receipt mailed 5/4/2001; Copy of Notice of Incomplete Reply
mailed 7/12/2001; Copy of Request filed 12/8/2000; Copy of post card receipt date stamped 12/8/2000 0.00

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which
should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No.
14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
BJS:eaw

NIXON & VANDERHYE P.C.
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

OSTERHOFF et al.

Atty. Ref.: **35-196**

Serial No. **09/731,657**

Group: **1646**

Filed: **March 12, 2001**

Examiner: **Unassigned**

For: **EPIDIDYMIS-SPECIFIC RECEPTOR PROTEIN**

* * * * *

July 31, 2001

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE

Responsive to the Cover Letter for Correction of Previous Notice mailed July 12, 2001 (copy attached), the undersigned respectfully submits the referenced Notice mailed May 4, 2001, was not received by the undersigned firm. Specifically, the undersigned received a Filing Receipt (Confirmation No. 1569) mailed May 4, 2001 (copy attached) which failed to include the third inventor, Christiane Kirchhoff and contained an error in the title. The applicants filed a Request for Correction of Filing Receipt indicating these errors on June 28, 2001. The Cover Letter for Correction of Previous Notice mailed July 12, 2001, includes a Notice of Incomplete Reply and a new Filing Receipt which includes the third inventor, Christiane Kirchhoff while failing to correct the title. A further Request for Correction of Filing Receipt is attached for correction of the title. Moreover, in response to the Notice of Incomplete Reply (copy attached) which was attached to the Cover Letter for Correction of Previous Notice, the applicants respectfully submit an appropriate Sequence Listing in paper form and

Request that the computer-readable copy of the Sequence Listing from the parent Application No. 09/041,745, be used in the present application was filed December 8, 2000. A copy of the Request filed December 8, 2000, is attached along with a copy of the undersigned's postcard receipt indicating the same was received by the Patent Office.

The Cover Letter for Correction of Previous Notice indicates the "time period for reply runs from the mail date of the corrected Notice". The Notice however attached to the Cover Letter for Correction of Previous Notice (i.e., Notice of Incomplete Reply dated July 12, 2001) indicates "The period of reply maintains as set forth in the Notice." There was no Notice received however with the Filing Receipt dated May 4, 2001. Accordingly, the due date for the allegedly missing sequence information is unclear and clarification is requested in the event the Patent Office believes anything further is required. Moreover, as the required items were filed December 8, 2000, any original Notice for further sequence information was mailed by the Patent Office in error and nothing further should be required. Clarification is requested in the event the Patent Office believes anything further is required or the Patent Office attempts to charge the undersigned's Deposit Account for any extensions relating to the allegedly originally mailed Notice or the Notice of Incomplete Reply mailed July 12, 2001.

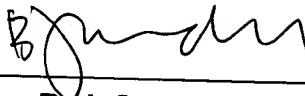
An early and favorable Action on the merits is now requested.

OSTERHOFF et al.
Serial No. 09/731,657

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



B. J. Sadoff

Reg. No. 36,663

BJS:eaw

1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/731,657	03/12/2001	Caroline Osterhoff	35-196

Nixon & Vanderhye P.C.
8th Floor
1100 N. Glebe Rd
Arlington, VA 22201

CONFIRMATION NO. 1569

CORRECTION COVER LETTER



OC000000006287924

Date Mailed: 07/12/2001

COVER LETTER FOR CORRECTION OF PREVIOUS NOTICE

The Notice mailed on 05/04/2001 was sent in error and is hereby withdrawn. A corrected Notice is enclosed. The time period for reply runs from the mail date of the corrected Notice. We apologize for any inconvenience this caused.

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

DOCKETED

CLT/MATTER # 35-196
MAIL DATE 7-12-01 (2+21-01)
DUE DATE July 21 01
FINAL DEADLINE Aug 21 01
DOCKETED BY gal MR



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/731,657	12/08/2000	1646	890	35-196	11	30	2

Nixon & Vanderhye P.C.
8th Floor
1100 N. Glebe Rd
Arlington, VA 22201



CONFIRMATION NO. 1569

FILING RECEIPT



OC000000005880674

Date Mailed: 05/04/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Caroline Osterhoff, Hamburg, GERMANY;
Richard Ivell, Hamburg, GERMANY;

Assignment For Published Patent Application

IHF Institut Fur Hormon-und Fortpflanzungsforschung GmbH;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/041,745 03/13/1998 ABN

Foreign Applications

If Required, Foreign Filing License Granted 01/30/2001

Projected Publication Date: 06/28/2001

Non-Publication Request: No

Early Publication Request: No

Title

Epididymis-specific receptor protein and its use

Preliminary Class

435

Data entry by : KIM, JONATHAN

Team : OIPE

Date: 05/04/2001



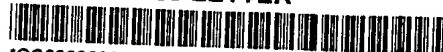
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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/731,657	03/12/2001	Caroline Osterhoff	35-196

CONFIRMATION NO. 1569

FORMALITIES LETTER



OC00000006287929

Nixon & Vanderhye P.C.
8th Floor
1100 N. Glebe Rd
Arlington, VA 22201

Date Mailed: 07/12/2001



NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

Nv

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

CONTINUATION OF:

Serial No.: 09/041,745

Inventor/s: OSTERHOFF et al.

Atty: B. J. Sadoff

Date: Dec. 8, 00

C#/M#: 35-126

Title: EPIDIDYMIS-SPECIFIC RECEPTOR PROTEIN

X Preliminary Amendment
59 Pages Specification, Claims & Abstract
30 Claims
11 Sheets of Drawings
X Declaration (1 Pages)
Assignment (Pages) Including Cover
Priority Document(s)
Base Issue Fee Transmittal
Fee (Check) filing fee; add'l claims fee

\$890.00

Other: Request; paper copy of Sequence Listing;
USPTO Form 1449; copy of Legal Analysis Supporting
Utility Examination Guidelines

